



~~February 17, 2004 CPC~~
March 10, 2004 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

04SN0196

The Trebour Family-Limited Partnership

Matoaca Magisterial District
South line of Hull Street

REQUESTS:

- I. Conditional Use Planned Development to permit body, major engine and transmission repair plus an amendment to Case 95SN0197 relative to architectural standards.
- II. Conditional Use Planned Development to permit exceptions to Ordinance requirements relative to signage.

PROPOSED LAND USE:

Vehicle sales and service, to include body, major engine and transmission repair, is proposed.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL SUBJECT TO THE CONDITION AND ACCEPTANCE OF THE PROFFERED CONDITIONS ON PAGES 2 AND 3.

STAFF RECOMMENDATION

- I. Recommend approval of the Conditional Use Planned Development to permit body, major engine and transmission repair. Recommend approval of an amendment to Case 95SN0197 relative to architectural standards. These recommendations are made for the following reasons:

Providing a FIRST CHOICE Community Through Excellence in Public Service.

- A. Although the Powhite/Route 288 Development Area Plan suggests the property is appropriate for light commercial uses, given the size and location of the property at the Hull Street Road/Route 288 interchange, Regional Business (C-4) uses would be appropriate.
 - B. The proposed land use is representative of, and compatible with, existing and anticipated area commercial development.
 - C. Existing development standards and proposed conditions further ensure land use compatibility with existing and anticipated area commercial development.
- II. Recommend denial of the Conditional Use Planned Development to permit exceptions to Ordinance requirements relative to signage. Recommend that Textual Statement, Item 3, relative to signs not be accepted. This recommendation is made for the following reasons:
- A. The current sign standards of the Zoning Ordinance provide adequate identification for uses on the property.
 - B. Approval of the exception could encourage other businesses to seek similar exceptions. Approval of such exceptions would lead to larger signs along the Hull Street Road Corridor.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

CONDITION

- (STAFF) The Textual Statement revised February 13, 2004, shall be considered the Master Plan except for Item 3. (P)
- (CPC) The Textual Statement revised February 13, 2004, shall be considered the Master Plan. (P)
- (NOTES:
 - A. This condition is in addition to those conditions approved as part of Case 95SN0197, 97SN0162 and 97SN0239 for the subject property.
 - B. With approval of this request, Proffered Condition 8 of Case 95SN0197 is hereby deleted for the subject property.)

PROFFERED CONDITIONS

- (STAFF/CPC) 1. Views from Lonas Parkway of garage doors as well as storage yards for vehicles awaiting repair shall be minimized through the use of landscaping, setbacks or architectural treatment, or a combination thereof. This exact treatment shall be reviewed and approved by the Planning Department at the time of site plan review. (P)
- (STAFF/CPC) 2. Freestanding light poles shall not exceed a height of twenty (20) feet at the perimeter of the project and shall not exceed a height of twenty-five (25) feet within the interior of the project. (P)

GENERAL INFORMATION

Location:

Southwest quadrant of Hull Street Road and Lonas Parkway. Tax IDs 736-679-6168, 7262, 8553 and 9075 and 737-679-Part of 0848 and Part of 9051 (Sheet 16).

Existing Zoning:

C-4

Size:

16 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North - I-1, C-3 and A; Commercial or vacant
South, East and West - C-4; Vacant

UTILITIES

Public Water System:

There is an existing twelve (12) inch water line extending along Lonas Parkway, adjacent to the request site. Use of the public water system is required. (Case 95SN0197, Condition 4)

Public Wastewater System:

There is an existing thirty (30) inch wastewater trunk line extending along Nuttree Branch, adjacent to the western boundary of this site. In addition, an eight (8) inch wastewater trunk line extends along Lonus Parkway, adjacent to this site. Use of the public wastewater system is required. (Case 95SN0197, Condition 4)

ENVIRONMENTAL

Drainage and Erosion:

The property drains directly into Swift Creek below the Reservoir. A portion of the property is wooded and should not be timbered without first obtaining a land-disturbance permit from the Environmental Engineering Department, thereby insuring that adequate erosion control measures are in place prior to such activity (Proffered Condition 5, Case 95SN0197). There are currently no on- or off-site drainage or erosion problems with none anticipated after development.

Water Quality:

A portion of Swift Creek is located adjacent to the property. Swift Creek, a perennial stream, is subject to a 100 foot conservation area. As such, a Resource Protection Area (RPA) is located on a small portion of the property.

PUBLIC FACILITIES

Fire Service:

The Clover Hill Fire Station, Company Number 7, currently provides fire protection and emergency medical service. This request will have only minimal impact on fires and emergency medical services.

Transportation:

The proposed rezoning will have a minimal impact on the anticipated traffic generated by development of the property.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Powhite/Route 288 Area Development Plan which suggests the property is appropriate for light commercial uses. The Plan, which was adopted in 1985, basically reflected the zoning designation at that time. Given the location of the property at the Hull Street Road/Route 288 interchange, Regional Business

(C-4) uses are appropriate. The current Regional Business (C-4) zoning of the property is consistent with the land use designation suggested for properties located within the other quadrants of this interchange as reflected in the Upper Swift Creek Plan, adopted in 1991.

Area Development Trends:

Properties to the north are zoned Light Industrial (I-1), Community Business (C-3) and Agricultural (A) and are developed for commercial uses or currently remain vacant. Properties to the south, east and west are zoned Regional Business (C-4) as part of Case 95SN0197 also affecting the subject property, and are developed residential multifamily development or currently remain vacant.

Zoning History:

On May 24, 1995, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved rezoning of a 219.4 acre tract from Agricultural (A), Residential (R-9), Residential Townhouse (R-TH), Corporate Office (O-2) and Community Business (C-3) to Regional Business (C-4) with Conditional Use to permit outside storage and multifamily residential and townhouse residential uses (Case 95SN0197). A mixed use development with office, commercial, light industrial and/or residential uses was planned.

On February 26, 1997, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved rezoning with Conditional use on a 2.5 acre tract to incorporate that acreage into the existing C-4 tract zoned under Case 95SN0197 (Case 97SN0162). The existing C-4 tract was incorporated into this request for the purpose of proffering overall residential and commercial densities.

On July 23, 1997, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved an amendment to Conditional Uses (Cases 95SN0197 and 97SN0162) relative to buffers, access restrictions and densities. (Case 97SN0239)

Site Design:

The request property lies within the 360 Corridor West Area Highway Corridor District. The purpose of this district's standards is to recognize specified areas of the County as unique and to enhance patterns of development in those areas. Except as addressed by existing conditions of zoning, development of the site must conform to the Highway Corridor District standards and the Emerging Growth Area District requirements of the Zoning Ordinance. Together, these standards address access, parking, landscaping, architectural treatment, setbacks, signs, buffers, pedestrian access, utilities and screening of dumpsters and loading areas.

Uses:

Currently, the subject property may be developed for uses permitted by right and with restrictions in the Regional Business (C-4) District. These uses include motor vehicle sales, rental, service and repair, but exclude body, major engine and transmission repair. The applicant is requesting an exception to permit body, major engine and transmission repair services in conjunction with the operation of an automobile dealership. (Textual Statement, Item 1)

Architectural Treatment:

Currently, within the Route 360 Corridor West Area, the Ordinance requires a clearly identifiable architectural theme for a project that provides for building elements that break up large building masses with a pedestrian scale environment between parking areas and buildings. The architectural treatment of buildings must be compatible with buildings located within the same project or within the same block or directly across any road, as determined by the director of planning. Compatibility may be achieved through the use of similar building massing, materials, scale, colors and other architectural features.

Proffered Condition 8 of Case 95SN0197 requires that all non-residential buildings within this project be compatible in architectural style, materials, colors, details and other design features. Given that architectural compatibility is now a requirement of the Ordinance, the applicant has requested deletion of this proffered condition.

Buffers and Screening:

Currently, the Ordinance requires that storage yards for vehicles waiting body repair, painting, auction or wholesale sales be screened from view of any adjacent properties on which such yards are not permitted and from external public roads. This requirement would apply to Hull Street Road, but not to Lonas Parkway which is considered an internal project road. In response to staff's concerns, the applicant has proffered to minimize the views of storage areas for vehicles awaiting repair from Lonas Parkway with the use of landscaping, setbacks or architectural treatment, or combination thereof. (Proffered Condition)

Further, the Ordinance requires that all garage-type doors be oriented away from, or screened from view of, external roads. This requirement would apply to Hull Street Road. The applicant has requested an exception to permit garage-type doors that serve as write-up bays only to be oriented towards Hull Street Road, provided that the view of such doors is minimized through the use of landscaping, setbacks or architectural treatment, or combination thereof (Textual Statement, Item 2). It has been staff's experience that write-up bays where repair estimates are discussed with the customer do not contain the level and type of repair activity typical of a standard service bay, hence are not visually objectionable.

As previously noted, Lonas Parkway is considered an internal project road. As such, the Ordinance would permit garage-type doors to be oriented towards this road without screening. In response to staff's concerns, the applicant has proffered to minimize the views of any such doors that are oriented towards Lonas Parkway with the use of landscaping, setbacks or architectural treatment, or combination thereof. (Proffered Condition)

Signs:

Signs for the site are currently regulated by the Ordinance which permits one (1) freestanding sign with a maximum area of twenty (20) square feet and a maximum height of eight (8) feet for the purpose of identifying vehicle sales. This sign area may be increase up to twenty-five (25) percent or five (5) square feet if this increased area is used solely for the purpose of incorporating changeable copy into the sign.

The applicant is seeking an exception to the Ordinance requirements to permit the maximum freestanding sign area and height to be increased to fifty (50) square feet and fifteen (15) feet, respectively. (Textual Statement, Item 3)

Lighting:

In response to concerns expressed by area residents, the height of freestanding light poles has been limited. (Proffered Condition 2)

CONCLUSIONS

The Powhite/Route 288 Development Area Plan suggests the property is appropriate for light commercial uses. Given the property's location at the interchange of Hull Street Road and Route 288, Regional Business (C-4) uses would be appropriate. The proposed body, major engine and transmission repair uses in conjunction with a permitted automobile dealership are representative of, and compatible with, existing and anticipated area commercial development. Further, existing development standards and proposed conditions further ensure land use compatibility with existing and anticipated area commercial development. Given these considerations, staff recommends approval of the Conditional Use Planned Development to permit the proposed body, major engine and transmission repair uses. Proffered Condition 8 of Case 95SN0197 requires that all non-residential buildings within the project will be compatible in architectural style, materials, colors, details and other design features. Given that architectural compatibility is now a requirement of the Ordinance, staff recommends approval of the deletion of this proffered condition.

The current sign standards of the Ordinance provide adequate identification for uses on the property. Approval of the exceptions to freestanding sign area and height could encourage other businesses to seek similar exceptions and lead to sign proliferation along the Hull Street Road

Corridor. Given these considerations, staff recommends denial of the exception to freestanding sign limitations and that Textual Statement, Item 3 not be accepted.

CASE HISTORY

Applicant (2/13/04):

A revised Textual Statement and new proffered condition were submitted. The revised Textual Statement reduces the requested sign area and height exceptions to fifty (50) square feet in area and fifteen (15) feet in height. Proffered Condition 2 limits the height of freestanding light poles.

Planning Commission Meeting (2/17/04):

The applicant did not accept staff's recommendation but did accept the Commission's recommendation. There was no opposition present.

On motion of Mr. Bass, seconded by Mr. Litton, the Commission recommended approval of this request subject to the Condition and acceptance of the proffered conditions on pages 2 and 3.

AYES: Unanimous.

The Board of Supervisors, on Wednesday, March 10, 2004, beginning at 7:00 p.m., will take under consideration this request.

Textual Statement
The Trebour Family - Limited Partnership
Case No.: 04SN0196
December 11, 2003
Revised February 4, 2004
Revised February 9, 2004
Revised February 13, 2004

1. Uses

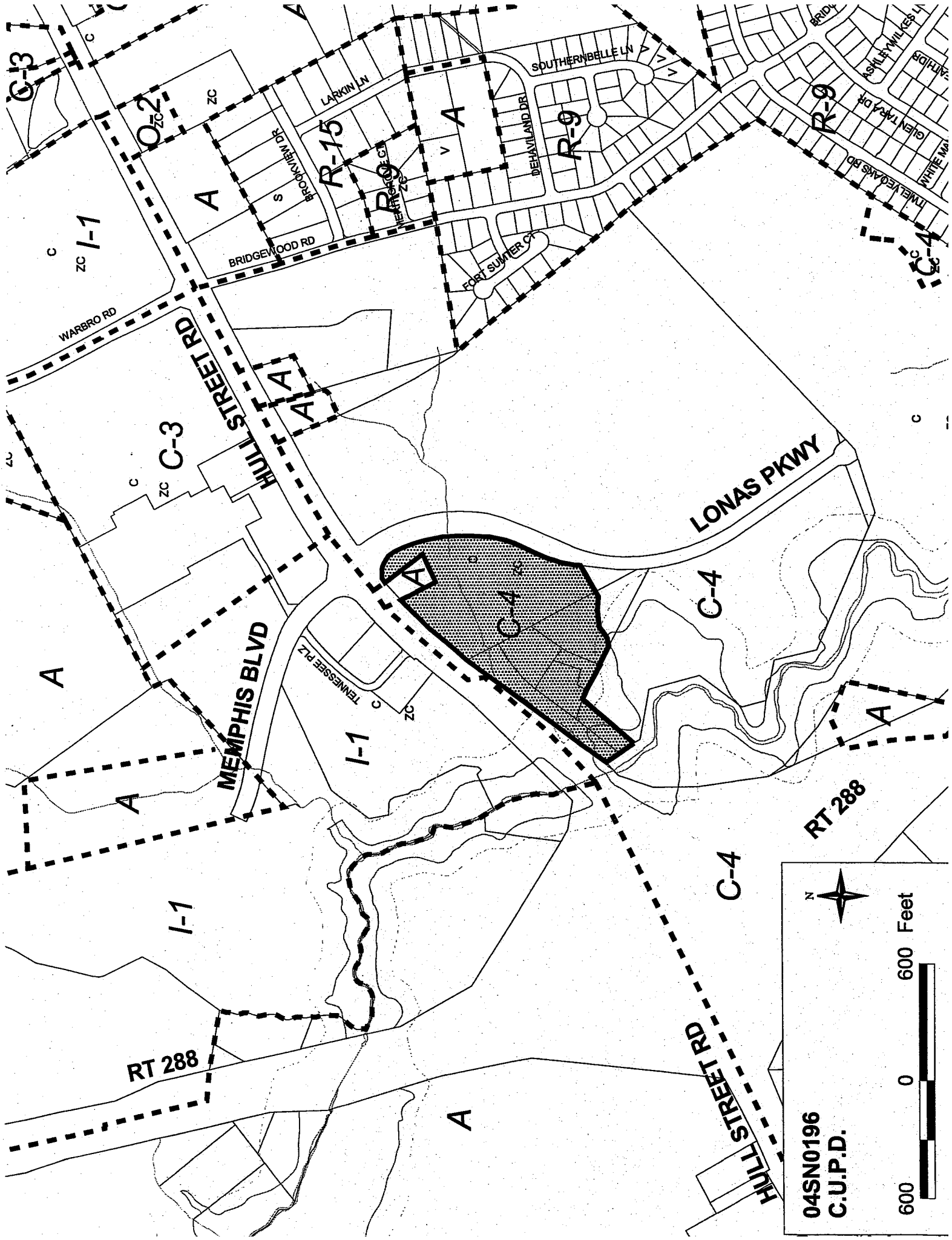
Uses permitted shall include motor vehicle body, major engine and transmission repair in conjunction with motor vehicle sales.

2. Garage-Type Doors

An exception to permit garage-type doors that serve write-up bays only to be oriented towards Hull Street Road provided that the view of such doors shall be minimized from Hull Street Road through the use of landscaping, setbacks or architectural treatment, or a combination thereof. This exact treatment shall be reviewed and approved by the Planning Department at the time of site plan review.

3. Signs

- i. A seven (7) foot exception to the eight (8) foot height limitation for a freestanding vehicle sales sign.
- ii. A thirty (30) square foot exception to the twenty (20) square foot area limitation for a freestanding vehicle sales sign.



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